

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CALENTURE, LLC,  
and MARK RUBENSTEIN,

Plaintiffs,

v.

EOS ENERGY ENTERPRISES, INC.  
(f/k/a B. Riley Principal Merger Corp. II),

Defendant.

21-CV-1416 (JPO)

No. \_\_\_\_\_

(ECF Case)

**NOTICE OF VOLUNTARY DISMISSAL PURSUANT TO F.R.C.P. 41(a)(1)(A)(i)**

Pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, Plaintiffs and their counsel hereby give notice that Plaintiffs voluntarily dismiss this case with prejudice and without costs as to any party.

Dated: New York, New York  
May 4, 2021

*s/ Miriam Tauber*

Miriam Tauber (MT-1979)  
MIRIAM TAUBER LAW PLLC  
885 Park Ave #2A, New York NY 10075  
(323) 790-4881 |  
MiriamTauberLaw@gmail.com

*s/ David Lopez*

David Lopez (DL-6779)  
LAW OFFICES OF DAVID LOPEZ  
PO Box 323 | 171 Edge of Woods Rd.  
Southampton, NY 11969  
(631) 287-5520 | [DavidLopezEsq@aol.com](mailto:DavidLopezEsq@aol.com)

*s/ James A. Hunter*

James A. Hunter (JH-1910)  
42 Stagecoach Rd., Pipersville, PA 18947  
(484) 437-5935 |  
[JamesAHunterLaw@gmail.com](mailto:JamesAHunterLaw@gmail.com)

*Attorneys for Plaintiffs  
Calenture, LLC and Mark Rubenstein*